

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

United States District Court  
Southern District of Texas

**ENTERED**

April 05, 2023

Nathan Ochsner, Clerk  
**CASE NO. 5:23-CR-2-1**

UNITED STATES OF AMERICA,  
V.  
DIQUIS MANLY,

§  
§  
§

**STANDING ORDER ON PROCEDURES FOR SENTENCING  
BEFORE U.S. DISTRICT JUDGE GARCIA MARMOLEJO**

On 4/5/2023, Defendant was found guilty through guilty plea and the following schedule is set:

1. The Defendant's acceptance-of-responsibility statement may be orally conveyed at the time of the change of plea and re-arraignment hearing, or must be submitted at or before the pre-sentence investigation interview with a U.S. Probation Officer.
2. No later than **5/10/2023** the U.S. Probation Office will complete a Presentence Investigation Report (PSI Report). It is the responsibility of counsel to obtain the PSI Report.

**Only applicable for certain drug offenses:** the Safety Valve debrief must be completed by N/A. Thereafter, the AUSA shall timely notify the U.S. Probation Office of any recommendations prior to the PSI Report disclosure date.

3. Within 14 days of the disclosure of the PSI Report:<sup>1</sup>
  - a. Counsel for the parties shall submit either their objections, with citation to authority, or a written statement of non-opposition to the U.S. Probation Office and serve the same on opposing counsel.
  - b. Counsel may file any sentencing memorandum with any attachments for consideration of grounds for departures under the Sentencing Guidelines and/or 18 U.S.C. §3553(a) factors/variances.
4. No later than 14 days after receiving a party's objections to the PSI Report, opposing counsel shall file a written response. Absent a clear demonstration of good cause, a party's failure to timely respond and dispute the objections concedes the issue.
5. No later than 14 days after receiving the parties' responses, the U.S. Probation Office shall submit to the Sentencing Judge the final report, together with an addendum describing any unresolved objections and the officer's comments.
6. The parties understand they have the right to object within fourteen (14) days to the United States Magistrate Judge's Report and Recommendation (R&R) regarding the taking of the plea. The parties have no objections to the R&R and ask that the District Judge enter an order immediately adopting it, accept the guilty plea, and set the date for sentencing.
7. A Sentencing Hearing is set for **7/10/2023 at 1:30 P.M.** before U.S. District Judge Marina Garcia Marmolejo.

**Only applicable in 8 U.S.C. §1324 cases:** the parties further agree that any material witnesses detained in this matter can be released within twenty-four hours of the entry of the plea, unless either party timely moves the Court in writing showing good cause to the contrary.

BY ORDER OF THE COURT.

**Acknowledged on the Record by parties.**

<sup>1</sup> The rules for extensions can be found in at HON. MARINA GARCIA MARMOLEJO, CRIM. CT. P. 11(D)(3).